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May 29, 2007

**EM050562595US**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Serial Number: 10/758,839  
Applicant: James W. Lacey  
Filing Date: 01-16-2004  
Title: Engine Exhaust System  
TC/AU: 3747  
Examiner: Hyder, Ali

Dear Commissioner for Patents:

This amendment, petition and fee for extension of time are filed to maintain the parent case which is to be abandoned when filing a new application claiming its benefit.

1. The amendment in this case is a bona fide attempt by applicant to respond and to advance this application to final action and comprises a separately filed:
  - (a)  Continuation Application
  - (b)  Continuation-in-Part Application
  - (c)  Divisional Application (where parent case is to be abandoned.)

A copy of this amendment and petition is being filed with the papers constituting the filing of the separately filed application.

2. The amendment being filed in this case is attached.

3 06/01/2007 ZABUBEKE This is a petition for extension of time to respond to:

01 FC:2253

510.00 DP

- (d)  the Office Action mailed on November 29, 2006, and Advisory Action dated March 30, 2007.
- (e)  Other
4. Please abandon this application conditioned upon the granting of the petition and granting of a filing date to the continuing application so as to make the continuing application co-pending with this application.
5. Applicant is:
- a small entity verified statement
- is enclosed.
- was filed in parent application (a copy attached) and this status is still proper and its benefit under 37 CFR 1.28 (a) is hereby claimed.
- other than a small entity.
6. Extension requested under 37 CFR 1.17(a)(3) is for three months to May 29, 2007 for a fee of \$510.00.
7. Enclosed is:

Continuation-in-Part Patent Application including:

15 pages of specifications  
7 pages of drawings  
Small Entity Statement  
Combination Declaration and Power of Attorney  
Nonpublication Request  
Proof of Mailing  
Self Addressed Postcard  
A check in the amount of \$1,010.00

This amount is based on:

Basic Filing Fee (Claims 7 /Independent 2)	\$150.00
Claims In Excess of Twenty (\$25.00)	0.00
Independent Claims In Excess of Three (\$100.00)	0.00
Search Fee	\$250.00
Examination Fee	\$100.00
Time Extension	<u>\$510.00</u>
TOTAL FILING FEE:	\$1,010.00

Very truly yours,



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DWB/ab  
Enclosures